

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TODD MILTON HENRY,

Defendant.

Case No. CR20-147RSL

ORDER GRANTING
MOTION TO CONTINUE
TRIAL AND PRETRIAL
MOTIONS DATES

This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial and Pretrial Motions Dates." Dkt. #19. Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

1. The Court adopts the facts set forth in the motion; specifically, that defense counsel needs additional time to review discovery and to effectively prepare for trial. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3. The Court finds that the additional time requested between November 30, 2020, and the proposed trial date of May 3, 2021 is a reasonable period of delay, as counsel needs

1 additional time to prepare for trial. The Court finds that this additional time is necessary to
2 provide counsel reasonable time to prepare for trial, considering all the facts set forth above.

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4 4. The Court further finds that this continuance would serve the ends of justice, and
5 that these factors outweigh the best interests of the public and defendant in a speedier trial,
6 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

7 5. Defendant has signed a waiver indicating that he has been advised of his right to a
8 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
9 that right and consented to the continuation of his trial to a date up to and including May 17,
10 2021, Dkt. #20, which will permit trial to start on May 3, 2021, per the parties' request.

11 IT IS HEREBY ORDERED that the trial date be continued from November 30, 2020 to
12 May 3, 2021.

13 IT IS FURTHER ORDERED that the pretrial motions deadline be continued to March
14 29, 2021.

15 IT IS FURTHER ORDERED that the period of time from the current trial date of
16 November 30, 2020, up to and including May 17, 2021, shall be excludable time pursuant to 18
17 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion
18 is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and
19 (h)(7)(B).

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21 DATED this 16th day of October, 2020.
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24 Robert S. Lasnik
25 United States District Judge
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